

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHARLES J. WILLIAMS,

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendants.

Case No. 2:14-CV-1785-KJD-VCF

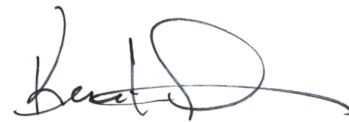
ORDER

Before the Court is Plaintiff's Motion for Reconsideration (#6) of this Court's prior order (#5) dismissing the state of Nevada as a defendant in Plaintiff's 42 U.S.C. § 1983 lawsuit. No response or reply have been filed, nor are they necessary. The Court is required to hold Plaintiff's pro se pleadings to "less stringent standards" Haines v. Kerner, 404 U.S. 519, 520 (1972). However, the law in this area is absolutely clear. As noted in the Court's prior order:

The Magistrate correctly notes that Plaintiff's complaint is entirely based on 42 U.S.C. § 1983. The Magistrate is also correct that States are not "persons" under § 1983, and therefore cannot be held liable for what might otherwise constitute violations of this statute. See Will v. Michigan Dep't of State Police, 491 U.S. 58, 71 (1989). The Court **HEREBY ADOPTS AND AFFIRMS** the Magistrate's recommendation (#2), **DISMISSING** the state of Nevada as a defendant **WITH PREJUDICE**.

Plaintiff cannot, as a matter of law, sue the state of Nevada under § 1983. Plaintiff's Motion for Reconsideration (#6) is **HEREBY DENIED**.

DATED this 12th day of February, 2015.



Kent J. Dawson
United States District Judge